IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 4TH JANUARY 2007 / 14TH PAUSHA 1928

Mat.Appeal.No. 228 of 2006()

AGAINST THE ORDER DATED 23/01/2006 IN IA.4248, 4249/2005 IN OP.381/1999 of FAMILY COURT,ERNAKULAM

.....

PETITIONER: APPELLANT/RESPONDENT

PADMAJA, D/O.LATE RAGHAVAN,
PALLIPARAMBU HOUSE, AROOR.

BY ADV. SRI.V.P.REGHURAJ

RESPONDENTS: PETITIONER
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1. MANILAL,
S/O.VASU, PALLATHUPARAMBU,
PONJIKKARA, MULAVUKAD.

2. SARALA, W/O.LATE VASU, DO. DO.

BY ADV. SRI.N.RATHEESH
SMT.SUMA RATHEESH

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 04/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH & A.K. BASHEER, JJ.

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Mat.Appeal NO. 228 OF 2006

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DATED THIS THE 4th DAY OF JANUARY, 2007.

JUDGMENT

Kurian Joseph, J.

This appeal is directed against the order dated 23.1.2006 in I.A.Nos.4248/2005 and 4249/2005 in O.P.No.381/1999 on the file of the Family Court, Ernakulam which was filed at the instance of the wife.

2. The original petition was filed for return of the gold ornaments and the cash given to the respondent/husband. Though several contentions are taken by the parties, after the matter was argued at length, it is fairly agreed between the parties that the dispute in O.P.No.381/1999 can be settled finally in case the first respondent pays an amount of Rs.1,25,000/- to the appellant herein. The first respondent prays for a short time for payment.

3. In full and final settlement of the entire claims in O.P.No.381/1999 on the file of the Family Court, Ernakulam, the first respondent will pay the above said sum of Rs.1,25,000/- within six weeks from today. In case the amount is not paid as above, the decree passed in O.P.No.381/1999 will stand confirmed. Learned counsel for the appellant expressed an apprehension that the settlement as above might affect the claims regarding maintenance of the appellant and the

child. We do not find any basis for such an apprehension, since the settlement is only in respect of the claim made in O.P.No.381/1999.

The appeal is disposed of in the above terms.

(Kurian Joseph, Judge.)

(A.K. Basheer, Judge.)

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